

(approved May 21, 2004)

**BOARD OF BEHAVIORAL SCIENCES  
FULL BOARD  
MEETING MINUTES**

**FEBRUARY 19, 2004**

**DEPARTMENT OF CONSUMER AFFAIRS  
400 R STREET, SUITE 3020  
SACRAMENTO, CA**

**MEMBERS PRESENT**

Karen Pines, MFT Member, Board Chair  
Mark Burdick, LEP Member, Vice Chair  
Robert Gerst, Public Member  
Catherine Kay, Public Member  
Victor Law, Public Member  
Peter Manoleas, LCSW Member  
Glynis Morrow, Public Member  
Howard Stein, Public Member  
Susan Ulevitch, LCSW Member

**MEMBERS ABSENT**

Jane Nathanson, MFT Member

**STAFF PRESENT**

Sherry Mehl, Executive Officer  
Kristy Schieldge, Legal Counsel  
Julie McAuliffe, Administrative Analyst  
Meuy Saephan, Administrative Technician

**GUEST LIST ON FILE**

The meeting was called to order at approximately 9:25 a.m.

**1. CALL TO ORDER AND ESTABLISHMENT OF QUORUM**

Ms. Pines provided an overview of the accomplishments that had occurred since during her service as Board chair. Accomplishments included revising the laws regarding supervision for Associate Clinical Social Workers, giving more responsibility to supervisors and strengthening the requirements, broadening the educational requirements to include additional training in aging and domestic violence, requiring training for supervisors through the continuing education program, broadening the settings appropriate for Interns and Associates and allowing more opportunities for them to gain hours, beginning review and revision to the Disciplinary Guidelines, opening communication with schools that offer the Marriage and Family Therapist program in a series of meetings scheduled around the State and changing forms and publications

related to schools, meeting with Educational Therapists to discuss scope of practice and potential licensure, meeting with drug and alcohol counselors to discuss and explore potential licensure, revising continuing education regulations to include more opportunities for self-study, and developing an alternative to the oral examination and beginning implementation of the clinical vignette written examination. She credited the Committees, their Chairs, Ms. Mehl, Board staff, the Board's legal counsel, and the Office of Examination Resources with these accomplishments.

## **2. ELECTION OF 2004 BOARD CHAIR AND VICE CHAIR**

HOWARD STEIN MOVED, SUSAN ULEVITCH SECONDED, AND THE BOARD CONCURRED TO ELECT MARK BURDICK AS BOARD CHAIR.

Dr. Stein indicated that Dr. Burdick has illustrated the ability and understanding needed from a Board chair.

Mr. Manoleas nominated Ms. Morrow for Board chair. She declined the nomination.

Ms. Morrow commended Ms. Pines on her service as Board chair. Dr. Burdick stated that it was an honor to be a part of the Board and will look at his role as Board chair to better assist Licensed Educational Psychologists.

KAREN PINES MOVED, GLYNIS MORROW SECONDED, AND THE BOARD CONCURRED TO ELECT CATHERINE KAY AS BOARD VICE CHAIR.

Ms. Pines stated that Ms. Kay was a great asset to the Board and, as a public member, will assist the Board chair in leading the Board.

Ms. Kay stated that she would be very pleased to serve the Board as Vice Chair and commended the Board on its prominence.

Ms. Mehl stated a word of appreciation for Ms. Pines and thanked her for her time and effort. She indicated that the Board chair works closely with the Executive Officer on a multitude of issues.

Ms. Pines stated that Ms. Mehl was one of the best executive officers she has known and commended her on the regulation report submitted to the Governor.

## **3. RESCHEDULING OF 2004 BOARD MEETING DATES**

Ms. Mehl stated that the May meeting will be held at the Hyatt Islandia in San Diego. She then indicated that the September meeting is scheduled during the American Association of Marriage and Family Therapists conference and attendees of our meetings will be attending the conference, therefore she suggested that the meeting date be changed.

Ms. Mehl then stated that the November meeting is scheduled during a state holiday and this meeting should also be changed.

Dr. Stein suggested that the September meeting be moved to August as it had been in the past. Ms. Ulevitch agreed and indicated that the meetings should not be changed to accommodate a single member. Ms. Mehl stated that meetings scheduled close to the budget approval process

within the Legislature run the risk of not being funded until the Budget is approved. Ms. Ulevitch suggested that the summer meeting could be a one-day meeting in the Los Angeles area. She did like the meeting scheduled every three months. Ms. Morrow stated that the agenda for the summer meeting could become too large to complete in one day. Ms. Mehl stated that if we did a full one-day meeting, the meeting would run from 8 to 5 p.m. Ms. Mehl stated that the summer meeting would tentatively be scheduled for August 19, 2004 but there could be a possibility of a two day meeting based on the size of the agenda. Ms. Mehl suggested that the Board meet at a hotel close to the airport or possibly at a school.

Ms. Pines announced that she would probably not be at the August meeting.

Mr. Manoleas suggested that the November meeting be moved to November 18-19, 2004 in the Bay Area. The Board agreed with Mr. Manoleas' suggestion.

#### **4. REVIEW AND POSSIBLE AMENDMENTS TO THE DISCIPLINE MAIL BALLOT FORM AND PROCESS**

Ms. Mehl explained that there are times when a Board member holds a case for discussion and it may be for a procedural question or another issue that may be able to be resolved without holding the case. She suggested that the Mail Ballot form be amended to include a reason for the hold so that staff can better prepare the materials for closed session or legal counsel can answer the question. Ms. Mehl stated that Board members can always contact legal counsel with concerns or questions regarding disciplinary cases.

The Board agreed by consensus to amend the form to include Ms. Mehl's suggestion.

Ms. Pines brought up the discussion of possibly increasing the number of "hold for discussion" votes. She indicated that closed session meetings during Board meetings are fine but there are times when time constraints require that members assemble for a decision on a disciplinary case and this may be difficult for some members. Ms. Mehl stated that two members is a reasonable amount of members to hold for discussion and this has always been the number required. She thought that including a reason on the form would assist in deciphering instances where questions can be answered without holding the case for discussion.

Mr. Manoleas asked that the identity of the person who requested an agenda item be identified. Ms. Mehl stated that the Board chair has control over the agenda and works closely with the Executive Officer to time the agenda appropriately.

#### **5. REPORT ON THE IMPLEMENTATION OF THE WRITTEN CLINICAL VIGNETTE EXAMINATION**

Ms. Mehl indicated that this has been a very interesting time for the Board. The new examinations have fallen into place perfectly in terms of timing. Massive amounts of work were accomplished in a short period of time. Everyone has done an excellent job and the product is something to be proud of. The examinations will begin to be administered in April.

Tracy Ferrell from the Office of Examination Resources (OER) explained the in-depth process involved in preparing for the implementation of the examination. She indicated that workshops for both the Licensed Clinical Social Work and Marriage and Family Therapist have been completed. These workshops included subject matter experts performing duties including item

writing, reviewing items, creating an examination plan, and setting the pass rate. OER has an amount of time set aside to evaluate the quality of the examination prior to candidates receiving their results in order to identify any problematic items and apply a mechanism to rectify the problems. Ms. Mehl then informed the Board that clean up language regarding the written clinical vignette examination is included in urgency legislation in Senate Bill 136. The emergency regulation language has been drafted and has been approved by the Department of Consumer Affairs (DCA) and the State and Consumer Services Agency. The Economic and Fiscal Impact Statement is currently at the Department of Finance and once a copy of the Statement is received, the regulation package will be submitted to the Office of Administrative Law (OAL) for approval. The regular rulemaking file was submitted to OAL on February 27, 2004.

The in house implementation process included developing the Candidate handbooks. These handbooks are available on the website as well as through Experior which is the entity the contacts with the DCA to administer computer based examinations. Another part of the process is the cashiering of the examination fee. The emergency regulation must be approved by OAL before the Information Technology unit within DCA can create a cashiering code and tracking screen. Eligibility letters should begin to be mailed from the Board in the middle of March. The first one hundred candidates will not receive their results immediately. These candidates will receive their results approximately two weeks after the examination.

Ms. Pines asked for a timeframe when OER estimates the amount of candidates will be reached in order for those first candidates to receive their results. Ms. Ferrell stated that the examinations are scheduled to be online April 1, 2004. Ms. Ferrell projects that the amount of candidates needed will be fulfilled within the first two weeks and the analysis will be completed within the following few days, therefore the candidates will not have to wait long for their results.

Ms. Ferrell briefly discussed examination security and indicated that there is a constant review of exposure of questions and there is a large bank of questions that are used and replaced.

Ms. Kay asked Ms. Mehl if the Board has received comments for candidates regarding the new examination. Ms. Mehl stated that candidates seem to be very excited about this new process of examination and feel that it is a more accurate reflection of their competence. Ms. Mehl did indicate that when candidates begin receiving their scores, there may be some confusion on their scores relative to the content areas. Ms. Kay asked that the Board receive information on the feedback staff receives regarding the new examination. Ms. Mehl stated that the May Board meeting will include another report on the written clinical vignette examination.

Mr. Manoleas asked if subject matter experts have access to empirical literature that predicts clinical practice. Ms. Ferrell indicated that subject mater experts have access to materials and the Board and OER have an extensive library of reference resources.

Ms. Mehl quoted Business and Professions Code Section 123 and explained that it is a misdemeanor for anyone to recreate the Board's examination questions or engage in any conduct which subverts or attempts to subvert any licensing examination or the administration of an examination. The Board and OER are always diligent in informing candidates about a breach of confidentiality of the examination.

The Board recessed at approximately 10:25 a.m.

The Board reconvened at approximately 10:40 a.m.

## **6. REVIEW AND POSSIBLE ACTION REGARDING CITATION AND FINE POLICY**

Ms. Mehl stated that this item was brought forward for the Board to determine if they wished to publish citation and fines. Citation and fines are not considered discipline; the citation is considered resolved when the fine is paid. Citations and fines are disclosed upon public request but the information is not automatically released like disciplinary actions. Disciplinary actions are released quarterly and they are included on our website, Newsletter, and are mailed to a public mailing list. Ms. Mehl surveyed other boards within DCA and found that some boards report the information and others do not. Those that do publish citation and fines do this in different ways. There are several ways to disseminate this information if the Board wished to do so. One way would be on the website, another would be on the pop up screen available when someone looks up licensee information on the website or calls the Board, and another choice would be to print the information and include it in the quarterly disciplinary report mailings.

Dr. Stein mentioned a discussion at a prior Board meeting regarding increased enforcement staff responsibility regarding disciplinary cases due to the unavailability of the Division of Investigation. Within this respect, staff could possibly utilize citation and fine more frequently. Ms. Mehl indicated that legislation increased the fee of a fine from \$2,500 to 5,000. This increase is more in the realm of discipline as opposed to lesser violations. Dr. Stein indicated that due to Budget restraints, the Board might be wise to begin utilizing citation and fine more frequently.

Ms. Mehl clarified that the public must specifically request information on citation and fine in order to receive this information on a licensee. Asking for discipline information does not include disclosure of citation and fine information.

Ms. Mehl requested further clarification on the publication of this information. Mr. Gerst stated that he felt the Board has an obligation to provide this information to the public and would not be opposed to including it with the disciplinary actions that are sent out quarterly. In addition, he felt that the Legislature would not have increased the fine amount if it were not beneficial to the public and it could be a beneficial tool of obtaining compliance from licensees.

Ms. Kay stated that as a consumer she frequents several websites to verify licensees and feels that it is crucial to include citation and fine information.

Ms. Mehl explained that the law states that payment of a fine shall be represented as satisfactory resolution of the matter for purposes of public disclosure, therefore there will need to be a disclaimer included with citation and fine information.

Dr. Stein requested staff provide a report of how the citation and fine program is currently administered.

Mary Riemersma, Executive Director of the California Association of Marriage and Family therapists, indicated that a citation and fine is no admission of wrong doing and licensees may have more reservations about automatically paying the fine and the Board may have more

requests for hearings once licensees become aware that a citation and fine will become public information. Ms. Kay understood Ms. Riemersma's concerns but still felt that a consumer should be able to make the judgment and it is important for the Board to provide the information.

ROBERT GERST MOVED, CATHERINE KAY SECONDED, AND THE BOARD CONCURRED TO REFER THE ISSUE BACK TO STAFF TO BRING BACK A PROPOSAL FOR PUBLISHING CITATION AND FINE.

#### **7. PRESENTATION ON THE MONITORING AND EVALUATION OF PROBATION**

Ms. Mehl introduced Denise Johnson, Assistant Executive Officer of the Board, and Rosanna Webb Flores, Probation Monitor.

Board member Robert Gerst asked that this issue be brought to the Board. He was curious about the process after discipline is imposed on a probationer. He commended Ms. Mehl, Ms. Johnson, and Ms. Webb-Flores for the thoroughness of the process and materials that were provided to the Board. Materials included an overview of the probation program, and sample compliance, approval, violation, and completion letters. After review, Mr. Gerst stated that there is a quality process in place.

Ms. Mehl mentioned that the proposed tolling language in the proposed Disciplinary Guidelines amendments would address a loophole in the process for those who toll their probation.

#### **8. REVIEW AND POSSIBLE RECOMMENDATIONS TO AMEND BUSINESS AND PROFESSIONS CODE SECTIONS 4982.05 AND 4992.31 REGARDING ENFORCEMENT STATUTE OF LIMITATIONS**

Ms. Mehl explained that the word "discovers" is very difficult to define. Although there are timeframes identified in law, there are situations when the Board becomes aware of a violation through a third party or by a telephone call and is unable to pursue the complaint until the actual complainant contacts the Board. Unfortunately, this contact may be after the expiration of time authorized in law and the Board is unable to pursue the case. Therefore, she stated that she will meet with the Medical Board and the Board of Psychology to determine if they are experiencing problems with their language and determine if they would be interested in pursuing legislation to further define "discovers". Ms. Mehl will report back to the Board on this issue at the May meeting.

#### **9. DISCUSSION REGARDING COLLECTION OF RACE/ETHNICITY DATA**

Mr. Manoleas stated he had asked that this issue be discussed by the Board and provided materials included in the Board packet. He indicated that this was an important workforce issue. He indicated that the demand is there but there is no data of the supply and that language is a service access issue.

Ms. Mehl stated that the Board does not have the authority to collect this specific data. We are a licensing Board that is responsible for ensuring minimum competency for independent practice and a consumer protection board that ensures an individual meets the requirements

identified in law for protection of the public. We are not responsible for ensuring that certain populations are being served. If the Board were to begin to do these things, they would step out of the realm of the purpose of the Board. In addition, any implications that we collect the data to enhance or not enhance a population of licensees could indicate that we are manipulating our examinations to benefit a specific population or discriminating against a certain population and it puts the Board in a very compromising position. We do provide special accommodations to those applicants who require these additional services within the examination process but we cannot be responsible for an individual in relation to employment and workforce issues. Ms. Mehl stated that schools have the authority to collect this data.

Ms. Kay indicated that the statute provided by Mr. Manoleas is for the Office of Statewide Health Planning and Development (OSHPD) and provides the authority to specified licensing boards to collect this data and provide it directly to OSHPD to perform manpower assessments.

Ms. Mehl stated that workforce issues are very important but the Board is not the appropriate entity to collect this data.

Ms. Ulevitch suggested that other organizations survey licensees and obtain this information.

Ms. Riemersma indicated that the association gathers the voluntary information as part of their data record of each member and they also survey demographically and have the results of this data. There clearly is a shortage but diversity is gradually changing as noticed in the populations that are completing degree programs for the professions.

Ms. Pines reminded the Board that licensees are a percentage of the workforce. There are individuals who practice without a license in exempt settings and these individuals may represent a much larger proportion.

Geraldine Esposito, Executive Director of the California Society for Clinical Social Work, stated that she assisted in workforce analyses for Legislative Committees and inquired with deans of social work programs whether they track their graduates. They indicated that they do not track that information. She suggested that the Board meet with deans and directors of social work programs to discuss the possibility of tracking of their graduates.

Ms. Mehl suggested that she check with other boards and the DCA to see if they are interested in pursuing legislation that would allow OER to collect race/ethnicity data within an occupational analysis.

Mr. Manoleas stated that the more information the Board knows about their licensees, the better.

ROBERT GERST MOVED, GLYNIS MORROW SECONDED, AND THE BOARD CONCURRED TO DIRECT THE EXECUTIVE OFFICER TO MEET WITH OTHER BOARDS AND THE DEPARTMENT OF CONSUMER AFFAIRS TO DETERMINE IF THEY ARE INTERESTED IN PURSUING LEGISLATION TO COLLECT ETHNICITY AND RACE INFORMATION WITHIN THE OCCUPATIONAL ANALYSIS.

HOWARD STEIN MOVED, KAREN PINES SECONDED, AND THE BOARD CONCURRED TO ADJOURN THE MEETING.

The meeting adjourned at approximately 12:10 p.m.



(approved May 21, 2004)

**BOARD OF BEHAVIORAL SCIENCES  
FULL BOARD  
MEETING MINUTES**

**FEBRUARY 20, 2004**

**DEPARTMENT OF CONSUMER AFFAIRS  
400 R STREET, SUITE 1030  
SACRAMENTO, CA**

**MEMBERS PRESENT**

Mark Burdick, LEP Member, Board Chair  
Robert Gerst, Public Member  
Victor Law, Public Member  
Peter Manoleas, LCSW Member  
Glynis Morrow, Public Member  
Howard Stein, Public Member  
Susan Ulevitch, LCSW Member

**MEMBERS ABSENT**

Catherine Kay, Public Member, Vice Chair  
Jane Nathanson, MFT Member  
Karen Pines, MFT Member

**STAFF PRESENT**

Sherry Mehl, Executive Officer  
Kristy Schieldge, Legal Counsel  
Julie McAuliffe, Administrative Analyst  
Meuy Saephan, Administrative Technician

**GUEST LIST ON FILE**

The meeting was called to order at approximately 9:00 a.m.

**1. CALL TO ORDER AND ESTABLISHMENT OF QUORUM**

Ms. McAuliffe called the roll and a quorum was established.

**2. APPROVAL OF MINUTES**

ROBERT GERST MOVED, HOWARD STEIN SECONDED, AND THE BOARD CONCURRED TO APPROVE THE MINUTES OF NOVEMBER 13, 2004.

### **3. APPROVAL OF MINUTES**

HOWARD STEIN MOVED, ROBERT GERST SECONDED, AND THE BOARD CONCURRED TO APPROVE THE MINUTES OF NOVEMBER 14, 2004.

### **4. CHAIRPERSON'S REPORT**

Dr. Burdick did not have anything to report.

### **5. EXECUTIVE OFFICER'S REPORT**

Ms. Mehl stated that the major focus of the office has been the implementation of the clinical vignette written examination and she commended staff for their hard work.

The Board will begin to go through the Sunset Review process in 2005 and will begin preparing the report for submission to the Legislature in September 2004. Staff and Ms. Mehl will be extremely busy in the next six months preparing the report therefore, some other projects will need to be placed on hold until this report is completed. In addition, Board members may be asked to assist in preparing summaries. A draft of the report should be available for Board review at the May meeting. There will also be a required audit of the office functions. The audit takes about two weeks to complete and involves all staff.

Ms. Mehl mentioned a report of every regulation implemented since 1999 that was requested by the Governor. Our report was the only one accepted by the Department of Consumer Affairs and was used as a model.

#### **a. Budget Update**

The meeting materials included the current Analysis of Fund Condition and Expenditure Report. When the written clinical vignette examination emergency regulations were submitted Ms. Mehl was informed that the Department of Finance may automatically reduce our Budget to reflect the cost savings to the Board.

#### **b. Miscellaneous Matters**

##### **1. Website Statistics**

The most current statistics were included in the meeting materials. The site continues to be visited frequently and updated weekly.

### **6. STATUS OF TWO-YEAR LEGISLATION PROPOSALS**

Ms. Mehl provided the Board with an overview of the following two-year legislation proposals:

Assembly Bill 1100 – This bill addressed the registration and licensure of Alcohol and Drug Abuse Counselors by the Board. The bill received a great deal of opposition and the language did not provide a clear, comprehensive understanding of the proposed process. The legislation did not make it out of the House of Origin by January 31, 2004, therefore the bill had died. She indicated that she anticipates new legislation will be introduced in 2004. In addition, the

Department of Alcohol and Drug Programs (DADP) has begun the regulatory process for required certification of Alcohol and Drug Abuse Counselors and has proposed that licensees who perform these services complete forty hours of continuing education every two years. Ms. Mehl will review the proposed regulations and submit written comments to the DADP.

Senate Bill 136 – This bill would further specify the clinical vignette written examination and authorize the Board to adjust examination fees to those actually incurred. Ms. Mehl stated that the bill will also take out reference to the oral examination and discussed this issue with the Board. If the language were completely removed in law, the Board would need to pursue legislation in the future if they chose to re-implement the oral examination.

Mr. Gerst stated that he thought the Board should preserve the integrity of their decision in November 2003 and maintain the authority to offer the oral examination in law.

ROBERT GERST MOVED, SUSAN ULEVITCH SECONDED, AND THE BOARD CONCURRED TO REQUEST THAT STAFF RECOMMEND TO THE LEGISLATURE THAT THEY NOT REMOVE LANGUAGE THAT REFERS TO THE ORAL EXAMINATION.

Senate Bill 816 – This bill revises the scope of practice for clinical social workers. This bill was up against a Committee deadline and the professional associations were unable to present their additional information within the timeframe, therefore the bill was allowed to die. The professional associations will be reintroducing the exact language that was included in Senate Bill 816 in a new bill in 2004.

ROBERT GERST MOVED, SUSAN ULEVITCH SECONDED, AND THE BOARD CONCURRED TO REAFFIRM THEIR SUPPORT FOR THE LANGUAGE CONTAINED IN SENATE BILL 816 IN ANOTHER BILL INTRODUCED IN 2004.

Mr. Manoleas asked Ms. Mehl if she had an update on the implementation of Assembly Bill 938. This legislation requires the Board to charge a \$10.00 assessment to Marriage and Family Therapist and Licensed Clinical Social Worker license renewals in order to assist in funding the Licensed Mental Health Service Provider Education Fund. This fund will provide grants to licensed mental health professionals who provide direct patient care in a publicly funded facility or a mental health professional shortage area as defined. The legislation also creates a council of specified individuals who will create the criteria for receiving grants. Ms. Mehl stated that the Board is assessing this additional fee to license renewals and transferring the monies to the State Controller for the Mental Health Practitioner Fund. We have not heard from the author's office regarding the council structure but she assumed that they are waiting for the fund balance to increase and will then begin the creation of the council.

## **7. REVIEW AND APPROVAL OF 2004 BOARD LEGISLATION PROPOSALS**

### **a. Business and Professions Code Section 4980.45**

The Board had previously discussed this section of law that relates to professional corporations and supervision of interns. Ms. Mehl indicated that the individual who had asked the Board to review this section of law for changes had withdrawn their request. It seems that the problem has been resolved and no changes are necessary.

### **b. Business and Professions Code Section 4980.80**

The proposed amendment would allow an applicant from another state to take a six-hour course in California law and professional ethics if they have taken a course outside California. Ms. Mehl stated that staff receives complaints about the current requirement of a two semester or three quarter unit because it is difficult and very expensive for applicants to obtain this training.

Mary Riemersma, Executive Director of the California Association of Marriage and Family Therapists, indicated that the Association was concerned and believes that individuals applying from another state need more than a six-hour course. She understands the difficulties in obtaining this requirement but indicated that there are variances in the law and ethics training from other states and applicants should be knowledgeable in California law and ethics. She thought that the Board and the professional association could possibly work with the schools to ease an applicant's burden in fulfilling this requirement.

Mr. Gerst suggested that applicants complete a one-semester course. Ms. Riemersma indicated that this could be a more appropriate solution.

Ms. Mehl indicated that this statute applies to a small amount of applicants.

Dr. Burdick asked if the professional association would research this issue to determine a sense of suitable content and assist in designing an appropriate requirement for out-of-state applicants.

Ms. Ulevitch stated that she supports the idea of reducing the requirement for out of state applicants who have already taken a course in another state since they have to complete the required licensing examinations.

Geraldine Esposito, Executive Director for the California Society for Clinical Social Work, indicated that she supported Ms. Riemersma's concerns and stated that it is easy to assume that other states train their marriage and family therapists similarly to California requirements but in fact this is not the case.

Mr. Gerst stated that, after thorough review of the statute, there are specific requirements for these out of state applicants and a lot of thought went into creating these statutes to determine appropriateness of additional coursework. He supported retaining the statute as it current reads.

One final thought Ms. Riemersma had was that schools would not rearrange their coursework to accommodate a small amount of people.

The Board asked that staff research other possibilities and bring the proposal back to the May meeting.

c. Business and Professions Code Section 4980.90

This section of law also relates to out of state applicants and will be further discussed at the May Board meeting.

d. Business and Professions Code Section 4980.395

Ms. Mehl stated that this amendment further clarifies the legislative intent of requiring that all licensees who renew their license on and after January 1, 2005 complete a three-hour course in aging.

ROBERT GERST MOVED, SUSAN ULEVITCH SECONDED, AND THE BOARD CONCURRED TO RECOMMEND THE PROPOSED AMENDMENTS TO THE LEGISLATURE.

e. Business and Professions Code Section 4990.4

Ms. Mehl stated that this amendment will reference the correct process performed by the Council on Social Work Education.

HOWARD STEIN MOVED, SUSAN ULEVITCH SECONDED, AND THE BOARD CONCURRED TO RECOMMEND THE PROPOSED AMENDMENT TO THE LEGISLATURE.

f. Business and Professions Code Section 4996.18

Ms. Mehl stated that the amendments will correct the fee charged for registration, replace the word “approved” with “accredited”, and address the requirement for evaluation of a degree obtained outside the United States.

SUSAN ULEVITCH MOVED, PETER MANOLEAS SECONDED, AND THE BOARD CONCURRED TO RECOMMEND THE PROPOSED AMENDMENTS TO THE LEGISLATURE.

g. Business and Professions Code Section 4996.20

The amendment will take out language that applies to an applicant from out of state that is current addressed in Business and Professions Code Section 4996.17.

SUSAN ULEVITCH MOVED, ROBERT GERST SECONDED, AND THE BOARD CONCURRED TO RECOMMEND THE PROPOSED AMENDMENTS TO THE LEGISLATURE.

h. Business and Professions Code Section 4996.26

Ms. Mehl stated that this amendment further clarifies the legislative intent of requiring that all licensees who renew their license on and after January 1, 2005 complete a three-hour course in aging.

ROBERT GERST MOVED, HOWARD STEIN SECONDED, AND THE BOARD CONCURRED TO RECOMMEND THE PROPOSED AMENDMENTS TO THE LEGISLATURE.

## **8. LEGISLATION BY OTHERS THAT MAY IMPACT THE BOARD**

Ms. Riemersma stated that the Association has sponsored Assembly Bill 2552, authored by Assembly member Mark Leno. This legislation will further define the scope of practice for a Marriage and Family Therapist, allow an intern to be supervised by an owner or shareholder of a private practice so long as the supervisor meets all other requirements as an acceptable supervisor, delete a physician and surgeon who has completed a residency in psychiatry as an authorized supervisor, and authorize the use of the word “therapy” in a professional corporation.

## **9. APPROVE / NOT APPROVE COMMITTEE RECOMMENDATIONS**

### **a. Ad Hoc Disciplinary Guidelines Committee**

The Committee approved their January 7, 2004 minutes and reviewed the progress made to the Disciplinary Guidelines document. The Committee approved an addition to the minimum penalty listing of specified crimes against people, use of drugs and alcohol, and fiscal property crimes for violation of Conviction of a Crime Substantially Related to the Duties, Qualifications, of Functions of a Licensee/Registrant. Additionally, the Committee discussed the implementation of the probation monitoring costs and recommended that the Board direct staff to begin implementing this program. The draft Disciplinary Guidelines document will be presented to the full Board at May meeting for review and possible approval.

ROBERT GERST MOVED, HOWARD STEIN MOVED, AND THE BOARD APPROVED THE COMMITTEE RECOMMENDATIONS.

### **b. Examination Committee**

Ms. Mehl stated that the Committee reviewed informational materials and did not take any action.

### **c. Licensing Committee**

The Committee discussed the Continuing Education requirements and asked that the requirements be separated by license type and reviewed at the May Committee meeting. The Committee then indicated that they would begin to focus on the Licensed Educational Psychologist law and determine if changes are needed.

## **10. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA**

The Board did not receive any comments from the public.

HOWARD STEIN MOVED, PETER MANOLEAS SECONDED, AND THE BOARD CONCURRED TO ADJOURN THE MEETING.

The meeting adjourned at approximately 10:40 a.m.